

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

DAVID C. GEVAS,)
)
Plaintiff,)
)
v.) Case No. 3:13-cv-134-NJR-DGW
)
DR. ROBERT SHEARING, et al.,)
)
Defendants.)

ORDER

WILKERSON, Magistrate Judge:

In this Court's previous Order (Doc. 250), the following deposition schedule was set:

September 24, 2015 at 10:00 a.m. – Ms. Rayburn
September 24, 2015 at 1:30 p.m. – Ms. Johnson
September 25, 2015 at 10:00 a.m. – Defendant Harrington
September 25 at 1:30 p.m. – Defendant Butler
October 1, 2015 at 10:00 a.m. – Defendant Malley
October 1, 2015 at 1:30 p.m. – Defendant Skidmore.

It has come to the Court's attention that the video-conferencing facilities at Stateville Correctional Center are not available on October 1, 2015 at 10:00 a.m. Therefore, Defendant Malley's deposition will occur on October 7, 2015 at 10:00 a.m.

This Court also has reconsidered the deposition of Dr. Schicker. In light of the Order entered on August 17, 2015, the following is hereby **ORDERED**:

1. The Clerk of Court is **DIRECTED** to forward to Plaintiff a signed subpoena to testify at a deposition in a civil action along with a copy of this Order.
2. Plaintiff shall fill out the subpoena as to Mr. Schicker and shall note that he is to appear by telephone on **October 7, 2015 at 1:30 p.m.** The subpoena should indicate that Mr. Schicker shall call the following number, (618) 482-9371, in order to participate in the deposition.
3. Plaintiff may serve the subpoena by certified mail with a return receipt. In serving the subpoena, Plaintiff should include any documents that he wants the

witness to review during the deposition. Plaintiff also should include a copy of this Order.

4. Plaintiff must also tender, to the witness, a witness fee consistent with 28 U.S.C. § 1821(b) in the amount of \$40.00. The Court assumes there will be no travel costs associated with Mr. Schicker's deposition. Plaintiff should tender the witness fee to Mr. Schicker along with the subpoena.

5. Plaintiff shall appear by videoconference at the deposition. The stenographer and attorneys shall appear in person. Plaintiff shall be responsible for the stenographer's and his own prompt appearance.

6. The deposition shall last no longer than **2 hours**. Plaintiff's examination shall be no longer than 1 hour. Plaintiff should formulate his questions accordingly. Defendants' cross-examination shall be no longer than a combined 45 minutes. Plaintiff's re-cross shall be no more than 10 minutes.

In light of the foregoing, the deposition schedule is revised as follows:

September 24, 2015 at 10:00 a.m. – Ms. Rayburn

September 24, 2015 at 1:30 p.m. – Ms. Johnson

September 25, 2015 at 10:00 a.m. – Defendant Harrington

September 25 at 1:30 p.m. – Defendant Butler

October 1, 2015 at 1:30 p.m. – Defendant Skidmore.

October 7, 2015 at 10:00 a.m. – Defendant Malley

October 7, 2015 at 1:30 p.m. – Mr. Schicker

IT IS SO ORDERED.

DATED: August 27, 2015



The image shows a handwritten signature "Donald G. Wilkerson" in blue ink, positioned above the official circular seal of the United States District Court for the Southern District of Illinois. The seal features an eagle with wings spread, perched atop a shield, with the words "UNITED STATES DISTRICT COURT" around the top edge and "SOUTHERN DISTRICT OF ILLINOIS" around the bottom edge.

DONALD G. WILKERSON
United States Magistrate Judge